

GUY CARMEL

v.

CITY OF OLD TOWN

Submitted on briefs September 19, 2001
Decided October 3, 2001

Panel: WATHEN, C.J., and CLIFFORD, RUDMAN, DANA, SAUFLEY,
ALEXANDER, and CALKINS, JJ.

MEMORANDUM OF DECISION

Guy Carmel appeals from a judgment of the Superior Court (Penobscot County, *Hjelm, J.*) affirming an order of the City of Old Town's Zoning Board of Appeals. The ZBA denied Carmel's administrative appeal of the Code Enforcement Officer's determination that the parking of storage trailers on Carmel's residence violated the City's Zoning Ordinance. Contrary to Carmel's argument on appeal, both the Superior Court and the ZBA applied the statutory time periods for reconsideration appropriately. *See* 30-A M.R.S.A. § 2691(3)(F)(1996); *see also International Paper Co. v. Town of Jay*, 665 A.2d 998, 1002 (Me. 1995) (stating that the words in the statute must be given their plain and ordinary meaning). Additionally, there is no error in the ZBA's ruling that a storage trailer is not an "accessory use" as that term is defined by the City's Zoning Ordinance. *See Herrick v. Town of Mechanic Falls*, 673 A.2d 1348, 1349-50 (Me. 1996) (explaining the applicable standard of review for ZBA decisions).

The entry is:

Judgment affirmed.

Attorney for plaintiff:

Jeffrey M. Silverstein, Esq.
Billings & Silverstein
P O Box 1445
Bangor, ME 04402-1445

Attorney for defendant:

Robert E. Miller, Esq.
P O Box 414
Old Town, ME 04468